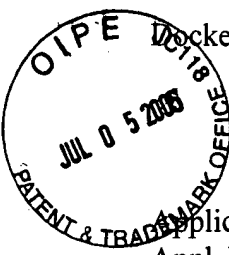


Docket No.: 52743-012004

AF/IDW  
PATENT

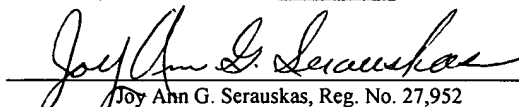
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

  
Applicant : BURGESS, ANDREW P.  
Appl. No. : 10/712121  
Filed : November 13, 2003  
Title : DECK MOUNTING BRACKET  
  
Grp./A.U. : 3632  
Examiner : A. Sterling  
Customer No. : 1923

Confirmation No.: 7680

Certificate of Mailing

I hereby certify that this correspondence (along with any documents referred to as attached or enclosed) is being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 30, 2005.

  
Joy Ann G. Serauskas, Reg. No. 27,952

**NOTICE OF APPEAL  
FROM THE PRIMARY EXAMINER  
TO THE BOARD OF APPEALS**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated March 31, 2005, of the Primary Examiner finally rejecting claims 1, 3, 6-14 and 18-22.

Appeal Fee: \$ \$500.00

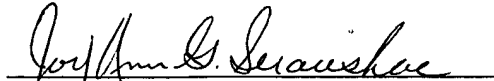
- ☐ Not required (fee paid in prior appeal in this application).  
☒ Charge to Deposit Account No. 13-0206.  
☐ Check Enclosed.

07/07/2005 LWONDIH1 00000023 130206 10712121  
01 FC:1401 500.00 DA

227 West Monroe Street  
Chicago, IL 60606-5096  
Phone: 312.372.2000 JGS:cnh  
Facsimile: 312.984.7700  
**Date: June 30, 2005**

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

  
Joy Ann G. Serauskas  
Registration No. 27,952

**Please recognize our Customer No. 1923  
as our correspondence address.**



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Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).  
**FEE TRANSMITTAL**  
**For FY 2005**

☐ Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$) **500**

Complete if Known	
Application Number	10/712,121
Filing Date	November 13, 2003
First Named Inventor	Andrew P. Burgess
Examiner Name	A. Sterling
Art Unit	3632
Attorney Docket No.	52743-012004

**METHOD OF PAYMENT** (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account Deposit Account Number: 13-0206 Deposit Account Name: McDermott Will & Emery LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

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**FEE CALCULATION**

**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Small Entity	Small Entity	Small Entity	Small Entity	Small Entity	Small Entity	
	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Small Entity	Small Entity
	Fee (\$)	Fee (\$)
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100
Multiple dependent claims	360	180

**Total Claims** 0 - 20 or HP = 0 x 50 = 0

HP = highest number of total claims paid for, if greater than 20

**Indep. Claims** 0 - 3 or HP = 0 x 200 = 0

HP = highest number of independent claims paid for, if greater than 3

**Multiple Dependent Claims**

Fee (\$)	Fee Paid (\$)

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
<u>          </u> - 100 = <u>          </u> / 50 = <u>          </u> (round up to a whole number) x <u>          </u> = <u>0</u>				

**4. OTHER FEE(S)**

	Fees Paid (\$)
Non-English Specification, \$130 fee (no small entity discount)	
Other: Notice of Appeal (\$500)	<u>500</u>

**SUBMITTED BY**

Signature	<u>Joy Ann G. Serauskas</u>	Registration No. (Attorney/Agent)	<u>27,952</u>	Telephone	<u>312.372.2000</u>
Name (Print/Type)	<u>Joy Ann G. Serauskas</u>	Date	<u>June 30, 2005</u>		

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.